

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPLICANT(s): Wolfgang Theimer CONF. NO. 6585  
SERIAL NO.: 09/847,145 ART UNIT: 2174  
FILING DATE: 05/02/2001 EXAMINER: Le V Nguyen  
TITLE: METHOD FOR CONTROLLING A SYSTEM, ESPECIALLY  
AN ELECTRICAL AND/OR ELECTRONIC SYSTEM  
COMPRISING AT LEAST ONE APPLICATION DEVICE  
ATTORNEY  
DOCKET NO.: 1001-010326-US(PAR)

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**APPELLANT'S REPLY BRIEF**

This reply brief is in response to the Examiner's Answer mailed 01/08/2008, the Examiner's Answer being in response to the appeal brief filed 10/25/2007 appealing from the Office Action mailed 2/23/2007.

This reply brief presents an argument directed to the examiner's comments appearing on page 12 of the Examiner's Answer.

## **ARGUMENT**

On page 12 of the Examiner's Answer, the examiner addresses the Applicant's argument, and suggests that the Applicant is reading limitations into the claims. The examiner makes reference to the cited art and states that Houser's system is capable of resolving cases where the command is ambiguous (Col. 19 at lines 34-36), and concludes that the Houser system reads on the limitations of the present claims.

With respect to the foregoing cited passage of Houser, it is noted that Houser (col. 19 beginning at line 27) teaches the use of a processor 200 that uses phonemic definitions and speech recognition software to compare words with phonemic data of a vocabulary. If a comparison results in the recognition of a command, a device (television) is appropriately controlled.

Further, Houser teaches that if the comparison does not result in the recognition of a command, then various alternative actions are made available, such as a prompt to a user to repeat the command, or to assume a somewhat different command, and the use of a voice recognition algorithm.

The term "recognition" must be distinguished from the word "ambiguous".

It is significant that Houser uses the word "recognition". One must have recognition of received speech before there is any communication of a message. For example, a message spoken in grammatically correct English, but with a Scottish accent, to a person

living in Mississippi, might not be recognized because the accent is unfamiliar to the listener. In this example, there can be no question as to whether the message is ambiguous because there has been no communication of the message from the speaker to the listener. The matter of being ambiguous deals with the data or understanding conveyed by a message from a speaker to a listener.

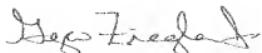
For example, if a request is made by a spoken command to close the door, which words are clearly understood by a listener, in a situation wherein the listener sees two open doors, there is ambiguity in the command as to which of the two doors is to be closed, or whether the command is to be interpreted to mean a closing of both of the doors.

The foregoing explanation is consistent with examples of ambiguity given on pages 2-3 of the present specification, wherein the user operates with a control panel that controls a number of functions ranging from a cell phone to a navigation system. The examples given by the specification distinguish between an incomplete command and an ambiguous command. The example of the command to make something sound louder is regarded as being ambiguous because it might refer to the loudness of a radio, or to the warning tones of a navigation system. The user then receives prompts to clarify the situation.

From the foregoing analysis, it is apparent that the passage of Houser, cited by the examiner for the matter of ambiguity, does not teach the matter of ambiguity but, rather, deals with the situation of recognition of the words of the spoken language. Therefore, it is properly concluded that there would be no motivation to combine Houser with Bush in order to deal with ambiguity.

Therefore, it is believed that the grounds upon which the examiner relies do not support the rejections, and the rejections should be withdrawn so as to find allowable subject matter in the claims.

Respectfully submitted,



Geza C. Ziegler, Jr.  
Reg. No. 44,004

10 March 2008

Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512